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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/693,373	10/24/2003	Yan Borodovsky	Intel 10559-882001/P17484	2788
20985	7590	03/29/2006	EXAMINER	
FISH & RICHARDSON, PC P.O. BOX 1022 MINNEAPOLIS, MN 55440-1022			CHACKO DAVIS, DABORAH	
			ART UNIT	PAPER NUMBER
			1756	

DATE MAILED: 03/29/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>		<b>Applicant(s)</b>	
	10/693,373		BORODOVSKY, YAN	
	<b>Examiner</b>		<b>Art Unit</b>	
	Daborah Chacko-Davis		1756	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 09 January 2006.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>10/05, 07/06</u> | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-3, 5, 7, 10-12, 14-18, are rejected under 35 U.S.C. 102(b) as being anticipated by EP 0915384 (Sugita et al., hereinafter referred to as Sugita).

Sugita, in [0018], [0019], [0020], [0021], [0022], [0023], [0038], [0064], [0065], [0066], [0091], [0092], discloses exposing a photoresist coated wafer to an interference patterns in an interference exposure apparatus, to form a periodic pattern (line and space pattern, an exposed array of patterns), performing a second exposure in a different apparatus different from the interference exposure apparatus to form a pattern on the photoresist with a pitch twice as large as the first pitch (pitch of the interference pattern). Sugita, in [0105], discloses that the second linewidth is less than that of the first line width (claims 1, 3, 10, 11, and 14). Sugita, in [0064], [0065], and in figures 2A, and 2B, discloses that the first line width and second linewidth are equal (claim 2). Sugita, in [0087], [0088], and in figure 16, discloses a beam splitter (claim 5). Sugita, in [0103], discloses that the second apparatus is a mask-based lithography tool (claim 7). Sugita, in [0090], and [0091], discloses that the pitch of the interference pattern is about half wavelength (claims 12). Sugita, in [0113], [0114], [0116], discloses an alignment optical system (alignment sensor) that observes the alignment mark on the wafer for the

interference pattern formed in the first exposure, and observes the alignment mark on the wafer (with interference pattern formed) for the projection exposure process (second patterning system) performed on the exposed wafer (claim 15). Sugita, in [0115], and in figure 21, discloses a system that enables the interference exposure apparatus (first patterning system) and the projection optical exposure apparatus (second patterning system, imprint system) to perform a first and second exposure on the wafer via a reticle to form a reduced pattern on the wafer positioned on the wafer stage (claims 16-18).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over EP 0915384 (Sugita et al., hereinafter referred to as Sugita) in view of U. S. Patent Application Publication No. 2005/0028129 (Hsu et al., hereinafter Hsu).

Sugita is discussed in paragraph no. 2.

The difference between the claims and Sugita is that Sugita does not disclose that the second apparatus uses optical proximity correction on a mask to adjust feature widths (claim 4).

Hsu, in [0012], [0013], [0014], discloses implementing optical proximity correction on the mask (pattern) so as to optimize the settings of critical feature (width, pitch etc).

Therefore, it would be obvious to a skilled artisan to modify Sugita by employing the method of performing OPC adjustments on the mask as suggested by Hsu because Hsu, in [0055], discloses that enhancement of lithographic settings via OPC treatment increases the process window for multiple features.

5. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over EP 0915384 (Sugita et al., hereinafter referred to as Sugita) in view of U. S. Patent No. 6,946,666 (Saito et al., hereinafter referred to as Saito).

Sugita is discussed in paragraph no. 2.

The difference between the claims and Sugita is that Sugita does not disclose that the first apparatus includes a diffraction grating (claim 6).

Sugita, in col 23, lines 44-50, discloses that the interference exposure system (first exposure) employs a grating pattern of a known pitch (substantially equal pitch).

Therefore, it would be obvious to a skilled artisan to modify Sugita by employing a grating pattern as suggested by Saito because Saito, in col 23, lines 44-50, discloses that the interference fringes of the two light beams are recorded on the wafer based on the grating pattern provided in the interference exposure system, and Sugita in [0069], discloses that an exposure pattern of high resolution is formed due to the mixing of the dual-beam interference exposure and the projection exposure.

6. Claims 8-9, and 19-24, are rejected under 35 U.S.C. 103(a) as being unpatentable over EP 0915384 (Sugita et al., hereinafter referred to as Sugita) in view of U. S. Patent No. 5,041,361 (Tsuo).

Sugita is discussed in paragraph no. 2.

The difference between the claims and Sugita is that Sugita does not disclose that the second exposure apparatus or the second patterning module includes an electron beam tool (claims 8, 19). Sugita does not disclose that the second apparatus comprises a maskless optical lithography tool with a database (claim 9). Sugita does not disclose that the second patterning system includes a maskless module (claim 20). Sugita does not disclose that the maskless module is an optical direct write (claim 21). Sugita does not disclose that the maskless module is an electron beam direct write module (claim 22). Sugita does not disclose that the maskless module is an ion beam direct write module (claim 23). Sugita does not disclose that the patterning system is an X-ray system (claim 24).

Tsuo, in col 2, lines 59-68, in col 3, lines 1-12, and lines 36-42, in col 4, lines 18-21, discloses that the exposure apparatuses include an electron beam lithography tool, an X-ray lithography tool, and ion beam systems. Tsuo, in col 3, lines 1-5, in col 10, lines 25-30, discloses that the exposure system includes a maskless exposure system and includes a direct write module such as an ion beam module (ion beam source), or an electron beam module (focused electron beam), and that the direct write module includes a database (connected to a computer) (claims 8-9, 19-24).

Therefore, it would be obvious to a skilled artisan to modify Sugita by employing the exposure modules suggested by Tsuo because Tsuo, in col 4, lines 14-20, discloses that the using high energy sources such as X-rays, e-beams, and ion beams enables a resistless process to form circuit components directly in the substrate material and eliminates all the resist process steps.

7. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over EP 0915384 (Sugita et al., hereinafter referred to as Sugita) in view of U. S. Patent Application Publication No. 2002/0078427 (Palmer et al., hereinafter referred to as Palmer)

Sugita is discussed in paragraph no. 2.

The difference between the claims and Sugita is that Sugita does not disclose that the mask is generated from the Boolean subtraction of the final design layout from the interference pattern (claim 13).

Palmer in [0022], [0023], discloses that a Boolean subtraction of the bounded contour and the initial input is performed to obtain the mask layout.

Therefore, it would be obvious to a skilled artisan to modify Sugita by performing a Boolean subtraction to the initial input mask data and the bounded data set as suggested by Palmer because Palmer in [0023], discloses that performing a Boolean operation enables the designer to adjust the original layout or adjust the proximity correction attributable to a particular feature that is otherwise overstated in size by too large of a degree or reduced in size or completely omitted.

### ***Response to Arguments***

8. Applicant's arguments, see Remarks, filed January 9, 2006, with respect to the rejection(s) of claims 1-24 under 35 USC 102 (e) as being anticipated by U. S. Patent Application Publication No. 2005/0074698 (Borodovsky) have been fully considered and are persuasive. Therefore, the 102 (e) rejection has been withdrawn. However, upon

further consideration, new ground(s) of rejections are made over claims 1-24. See paragraph nos. 2, 4, 5, 6, and 7.

**Conclusion**

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daborah Chacko-Davis whose telephone number is (571) 272-1380. The examiner can normally be reached on M-F 9:30 - 6:00. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark F Huff can be reached on (571) 272-1385. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

dcd



March 23, 2006.

  
**JOHN A. MCPHERSON**  
**PRIMARY EXAMINER**

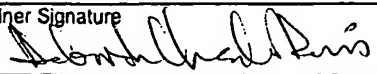


Substitute Form PTO-1449 (Modified)  <b>Information Disclosure Statement by Applicant</b> (Use several sheets if necessary)  (37 CFR §1.98(b))	U.S. Department of Commerce Patent and Trademark Office	Attorney's Docket No. <b>10559-882001</b>	Application No. <b>10/693,373</b>
		Applicant <b>Yan Borodovsky</b>	
		Filing Date <b>October 24, 2003</b>	Group Art Unit <b>1756</b>

U.S. Patent Documents							
Examiner Initial	Desig. ID	Document Number	Publication Date	Patentee	Class	Subclass	Filing Date If Appropriate
	AA						
	AB						
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Foreign Patent Documents or Published Foreign Patent Applications								
Examiner Initial	Desig. ID	Document Number	Publication Date	Country or Patent Office	Class	Subclass	Translation	
							Yes	No
WD	AM	2002-33265	01/2002	Japan (w/abstract)				X
	AN							
	AO							
	AP							
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Other Documents (include Author, Title, Date, and Place of Publication)		
Examiner Initial	Desig. ID	Document
	AR	
	AS	
	AT	
	AU	

Examiner Signature 	Date Considered <b>03/21/06</b>
EXAMINER: Initials citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

Substitute Form PTO-1449  
(Modified)U.S. Department of Commerce  
Patent and Trademark OfficeAttorney's Docket No.  
10559-882001Application No.  
10/693,373**Information Disclosure Statement  
by Applicant**

(Use several sheets if necessary)

Applicant  
Yan BorodovskyFiling Date  
October 24, 2003Group Art Unit  
1756**U.S. Patent Documents**

Examiner Initial	Desig. ID	Document Number	Publication Date	Patentee	Class	Subclass	Filing Date If Appropriate
ND	AA	2004/0110092	06/2004	Lin			
ND	AB	4,517,280	05/1985	Okamoto et al.			
ND	AC	6,818,389	11/2004	Fritze et al.			
ND	AD	6,884,551	04/2005	Fritze et al.			
	AE						
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**Foreign Patent Documents or Published Foreign Patent Applications**

Examiner Initial	Desig. ID	Document Number	Publication Date	Country or Patent Office	Class	Subclass	Translation	
							Yes	No
ND	AO	WO97/48021	12/1997	WIPO				
ND	AP	WO03/071587	08/2003	WIPO				
	AQ							
	AR							

**Other Documents (include Author, Title, Date, and Place of Publication)**

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Examiner Signature

*Robert Charles Davis*

Date Considered

03/22/06

EXAMINER: Initials citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<b>Notice of References Cited</b>	Application/Control No. 10/693,373	Applicant(s)/Patent Under Reexamination BORODOVSKY, YAN	
	Examiner Daborah Chacko-Davis	Art Unit 1756	Page 1 of 1

**U.S. PATENT DOCUMENTS**

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-2005/0028129	02-2005	Hsu et al.	716/019
*	B	US-6,946,666	09-2005	Saito et al.	250/492.2
*	C	US-5,041,361	08-1991	Tsuo, Y. Simon	430/311
*	D	US-2002/0078427	06-2002	Palmer et al.	716/19
	E	US-			
	F	US-			
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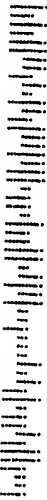
**FOREIGN PATENT DOCUMENTS**

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	S					
	T					

**NON-PATENT DOCUMENTS**

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
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\*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)  
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